

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MALIK WARE, :
: Petitioner, :
: : CIVIL ACTION
v. : : NO. 18-0128
: :
MARK CAPOZZA, et al., :
: :
: :
Respondents. :
:

ORDER

AND NOW, this 27th day of April, 2020, upon consideration of the Petition for Habeas Corpus (Doc. 1), the Response thereto (Doc. 25), the Report and Recommendation of Magistrate Judge Thomas R. Rueter (Doc. 27), and Petitioner's Opposition thereto (Doc. 31), IT IS HEREBY ORDERED AND DECREED that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **DENIED**;
3. There is no basis for the issuance of a certificate of appealability; and
4. The Clerk of Court shall mark this case **CLOSED** for statistical purposes.

BY THE COURT:

/s/ **Petrese B. Tucker**

Hon. Petrese B. Tucker, U.S.D.J.